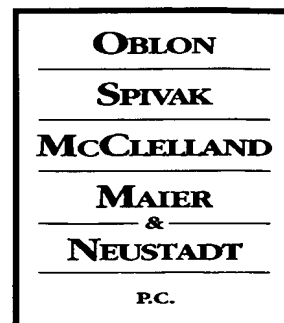


IFW



Docket No: 245639US3DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 10/728,768
Applicants: Takahiro KITANO et al.
Filing Date: December 8, 2003
For: COATING FILM FORMING APPARATUS AND
COATING UNIT
Group Art Unit: 1734
Examiner: KOCH, GEORGE R.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 245639US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TAKAHIRO KITANO ET AL. : EXAMINER: KOCH, GEORGE R.
SERIAL NO: 10/728,768 :
FILED: 10/728,768 : GROUP ART UNIT: 1734
FOR: COATING FILM FORMING APPARATUS AND COATING UNIT

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

In response to the Restriction Requirement dated May 24, 2004, Applicants provisionally elect with traverse Group I, Claims 14-23, directed to a combination coating apparatus.

MPEP § 803 states:

MPEP § 803

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

However, the outstanding Restriction Requirement has not established that an undue burden would exist if the Restriction Requirement was not issued and all the claims were examined together. Moreover, the claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully also traverse the outstanding Restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Application Serial No: 10/728,768
In Response to Restriction Requirement dated May 24, 2004

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 14-27 be conducted.

Respectfully submitted,

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GJM:EDG:tdm
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